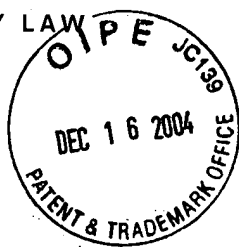


# Bereskin & Parr

INTELLECTUAL PROPERTY LAW

December 15, 2004



Stephen M. Beney B.Sc. (Physics)  
416 957 1697 sbeney@bereskinparr.com

Our Reference: 13180-31

## Response to Notice to File Missing Parts

Mail Stop Missing Parts  
Commissioner of Patents  
P.O. Box 1450  
Alexandria VA  
22313-1450

Dear Sirs:

**Re: United States Patent Application No. 10/809,473**  
**For: DIAGNOSIS OF DISEASE BY DETERMINATION OF ELECTRICAL...**  
**Inventor(s): Semlyen et al.**

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In response to the Notice of File Missing Parts (Form PTO-1533) mailed on June 16, 2004, the following documents are enclosed:

1. Transmittal Form;
2. Fee Transmittal;
3. Petition Fee Transmittal;
4. Request for Extension of Time;
5. Petition and Declaration signed by one of the inventors, Milan Graovac;
6. Declaration under 37 CFR 1.47(a); and
7. PART 2 (Copy to be returned with response) of Form PTO-1533.

The surcharge set forth in 37 CFR 1.16(e) of \$65.00 is included in our cheque No. 6700.

Respectfully submitted,

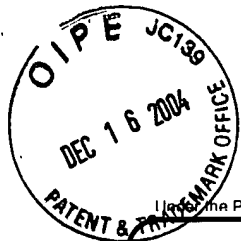
Stephen M. Beney  
Registration No. 41,563  
/np  
Encl.

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**TORONTO MISSISSAUGA WATERLOO**

PTO/SB/21 (08-03)



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**65.00****Complete if Known**

Application Number 10/809,473

Filing Date March 26, 2004

First Named Inventor Semlyen

Examiner Name

Art Unit

Attorney Docket No. 13180-3

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☐ Deposit Account Deposit Account Number: Deposit Account Name:

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

**Total Claims** Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims Fee (\$) Fee Paid (\$)  
- 20 or HP = x =  
HP = highest number of total claims paid for, if greater than 20  
**Indep. Claims** Extra Claims Fee (\$) Fee Paid (\$)  
- 3 or HP = x =  
HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** Extra Sheets **Number of each additional 50 or fraction thereof** (\$) **Fees Paid (\$)**  
- 100 = / 50 = (round up to a whole number) x =

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Late filing fee surcharge as set forth in 37 CFR 1.16(e)

**Fees Paid (\$)**

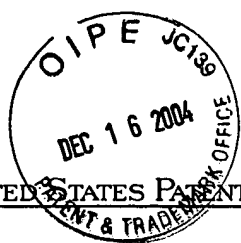
\$65.00

**SUBMITTED BY**

Signature		Registration No. 41,563 (Attorney/Agent)	Telephone 416-364-7311
Name (Print/Type)	Stephen M. Beney		Date December 15, 2004

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

IFW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,473	03/26/2004	Adam Semlyen	13180-31

001059  
BERESKIN AND PARR  
SCOTIA PLAZA  
40 KING STREET WEST-SUITE 4000 BOX 401  
TORONTO, ON M5H 3Y2  
CANADA

CONFIRMATION NO. 8317

FORMALITIES LETTER



\*OC000000012965983\*

Date Mailed: 06/16/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

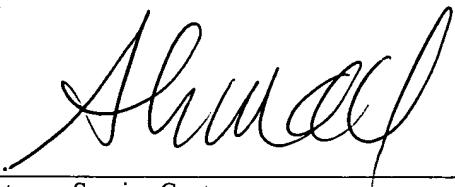
Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

12/17/2004 NNGUYEN1 00000014 10809473

01 FC:2051

65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Shumail", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE